

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
PAPPAMMAL KURIAN, Assignor	)	File Nos. 0005437382, 0005446482,
VEGAS WIRELESS LLC, Assignee	)	0005446495
	)	
Applications for Assignment of Licenses	)	

**ORDER**

**Adopted: January 30, 2014**

**Released: January 31, 2014**

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. *Introduction.* In this *Order*, we address the above-captioned applications of Pappammal Kurian (Ms. Kurian) to assign licenses to Vegas Wireless LLC (Vegas Wireless), and a petition by Rebel Communications LLC (Rebel)<sup>1</sup> and two petitions by Warren Havens, Environmental LLC, Environmental-2 LLC, Skybridge Spectrum Foundation, Verde Systems LLC, Telesaurus Holdings GB LLC, Intelligent Transportation & Monitoring Wireless LLC, and V2G LLC (collectively, Havens Entities)<sup>2</sup> to deny the applications. For the reasons stated below, we will dismiss the assignment applications and dismiss the petitions as moot.

2. *Background.* In October 2011, Ms. Kurian filed applications to assign the licenses for Industrial/Business Pool Stations WPXH935, WPMP534, WPRH562, WPXH849, WPKW294, WPMG886, WPRH760, WPRK215, WPUA346, WPUB270, and WPUD821 and 800 MHz Specialized Mobile Radio Station WNXG425 to Vegas Wireless, an entity owned by Thomas Kurian (Mr. Kurian).

3. Rebel and the Havens Entities filed petitions to deny the applications. Rebel argues that grant of the application to assign the license for Station WPXH935 would violate Ms. Kurian's agreement with

<sup>1</sup> Petition to Deny/Informal Objection (filed Oct. 17, 2012) (Rebel PTD). The Rebel PTD concerns only the licenses for Stations WPXH935 (File No. 00054446482); and WPKW294, WPMG886, WPRH760, WPRK215, WPUA346, WPUB270, WPUD821, and WNXG425 (File No. 0005437382). Thomas Kurian (on behalf of Vegas Wireless) and Ms. Kurian filed oppositions; Rebel filed a reply.

Thomas Kurian's opposition was filed jointly with a petition to set aside the assignment of the licenses for Stations WPKT842 and WPMT214 to Rebel (applications FCC File Nos. 0005311461 and 0005264554) and reinstate withdrawn assignment application FCC File No. 00054233398 to assign the licenses to him. Petition to Set Aside the Assignment Application FCC File No. 0005311461, 0005264554, and Reinsert [sic] Application No. 0005233398 and Issue the Station Authorization of Call Sign WPKT842 and WPMT842 to Thomas K. Kurian, and Response to the Petition to Deny by Rebel Communications, LLC. [sic], FCC File # 00054446482 and 0005437382 (filed Oct. 22, 2013). This *Order* concerns only the opposition to the Rebel PTD. The petition will remain pending with respect to Stations WPKT842 and WPMT214 and be addressed in a separate decision.

<sup>2</sup> Petition to Deny and, in the alternative, Request under Section 1.41 (filed Oct. 31, 2013) (Havens 10/31/12 PTD); Petition to Deny and, in the alternative, Request under Section 1.41 (filed Nov. 7, 2012) (Havens 11/7/12 PTD). The Havens 10/31/12 PTD concerns only the licenses for Stations WPKW294, WPMG886, WPRH760, WPRK215, WPUA346, WPUB270, WPUD821, and WNXG425 (File No. 0005437382); the Havens 11/7/12 PTD concerns the licenses for Stations WPXH935 (File No. 0005446482); and WPMP534, WPRH562, and WPXH849 (File No. 0005446495).

Rebel to modify the license to delete certain frequencies so that Rebel would enjoy exclusive use of those frequencies under its license for Station WPKT842.<sup>3</sup> Rebel also argues that Ms. Kurian's applications to assign licenses to Vegas Wireless should be denied because Mr. Kurian lacks the character qualifications to be a Commission licensee.<sup>4</sup> The Havens Entities argue that Ms. Kurian's applications to assign licenses to Vegas Wireless should be denied because one of the Havens Entities obtained a judgment against Ms. Kurian in Nevada state court and the court issued a preliminary injunction prohibiting her from disposing of any assets.<sup>5</sup>

4. In response to an inquiry by the Wireless Telecommunications Bureau's Mobility Division (Division) regarding the status of the Nevada litigation,<sup>6</sup> Warren Havens provided a copy of a stipulation order stating that Mr. Kurian and his entities agree to abandon "any and all claims to any ownership and right to use or manage, or other rights or interests in and regarding, now or in the future, any of the FCC licenses identified by the Call Signs listed on Exhibit 1 (the "Licenses")[, and not to] take any action to interfere with attempts by AMTS [Consortium LLC] to obtain via a receiver in his action or otherwise any such License rights and interest."<sup>7</sup> In response to an inquiry by the Division,<sup>8</sup> Mr. Kurian confirmed his agreement to abandon all claims (individually and on behalf of his entities) to the licenses at issue and not to consummate any assignment.<sup>9</sup>

5. *Discussion.* Because Mr. Kurian (individually and on behalf of his entities) no longer wishes to claim any ownership and right to the licenses at issue or consummate any assignment of such licenses, no purpose would be served by processing Ms. Kurian's applications the licenses for Industrial/Business Pool Stations WPXH935, WPMP534, WPRH562, WPXH849, WPKW294, WPMG886, WPRH760, WPRK215, WPUA346, WPUB270, and WPUD821 and 800 MHz Specialized Mobile Radio Station WNXG425 to Vegas Wireless. Consequently, we will dismiss the applications. We also dismiss as moot the petitions filed by Rebel and the Havens Entities to deny the subject applications.

6. Accordingly, IT IS ORDERED, pursuant to Sections 4(i) and 309(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309(d), and Section 1.939 of the Commission's Rules, 47 C.F.R. § 1.939, that the Petition to Deny/Informal Objection filed by Rebel Communications LLC on October 17, 2012, the Petition to Deny and, in the alternative, Request under Section 1.41 filed by Warren Havens, Environmental LLC, Environmental-2 LLC, Skybridge Spectrum Foundation, Verde Systems LLC, Telesaurus Holdings GB LLC, Intelligent Transportation & Monitoring Wireless LLC, and V2G LLC on October 31, 2012, and the Petition to Deny and, in the alternative, Request under Section 1.41 filed by Warren Havens, Environmental LLC, Environmental-2 LLC, Skybridge Spectrum Foundation, Verde Systems LLC, Telesaurus Holdings GB LLC, Intelligent Transportation & Monitoring Wireless LLC, and

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<sup>3</sup> See Rebel PTD at 2-3.

<sup>4</sup> *Id.* at 4.

<sup>5</sup> See Havens 10/31/12 PTD at 2; Havens 11/7/12 PTD at 2.

<sup>6</sup> See Letter from Stana Kimball, Attorney-Advisor, Mobility Division, Wireless Telecommunications Bureau, to Warren C. Havens (dated Oct. 21, 2013).

<sup>7</sup> Stipulation and Order for Dismissal of Claims Against Thomas Kurian, Vegas Wireless, LLC, and American Wireless, LLC Only, Case No. A-12-669776-C, Eight Judicial District Court of the Clark County, Nevada (filed Sept. 11, 2013) (Stipulation Order) at 1-2. The instant assignment applications concern licenses that appear on Exhibit 1 of the Stipulation Order.

<sup>8</sup> See Letter from Stana Kimball, Attorney-Advisor, Mobility Division, Wireless Telecommunications Bureau, to Thomas Kurian (dated Dec. 4, 2013).

<sup>9</sup> See Letter from Thomas Kurian, to Stana Kimball, Attorney-Advisor, Mobility Division, Wireless Telecommunications Bureau (received Dec. 23, 2013). He also requested that the Commission dismiss the subject assignment applications. *Id.*

V2G LLC on November 7, 2012 ARE DISMISSED AS MOOT.

7. IT IS FURTHER ORDERED that the applications File Nos. 0005437382, 0005446482, and 0005446495 SHALL BE DISMISSED consistent with this *Order* and the Commission's Rules.

8. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau